

# Order

Michigan Supreme Court  
Lansing, Michigan

April 30, 2021

Bridget M. McCormack,  
Chief Justice

162425

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 162425  
COA: 342440  
Wayne CC: 92-000334-FC

MONTEZ STOVALL,  
Defendant-Appellant.

On order of the Court, the application for leave to appeal the November 5, 2020 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether the defendant's parolable life sentences for second-degree murder were the result of an illusory plea bargain; (2) whether the defendant's sentences violate the prohibition against "cruel and unusual punishments" found in the Eighth Amendment to the United States Constitution, and/or the prohibition against "cruel or unusual punishment" found in Const 1963, art 1, § 16, where he was under the age of 18 at the time of the offenses; (3) whether the Parole Board's "life means life" policy renders the defendant's sentences unconstitutional under *Miller v Alabama*, 567 US 460 (2012), and *Montgomery v Louisiana*, 577 US 190 (2016); (4) whether, pursuant to *Miller* and *Montgomery*, the trial court was required to take the defendant's youth into consideration when accepting his plea and ruling on his motion for relief from judgment; and (5) whether the Parole Board is similarly required to take his youth into consideration when evaluating him for release on parole. The appellant's brief and appendix shall be filed by September 27, 2021, with no extensions except upon a showing of good cause. The time for filing the remaining briefs shall be as set forth in MCR 7.312(E). The time allowed for oral argument shall be 20 minutes for each side. MCR 7.314(B)(1).

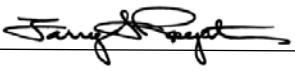
The Prosecuting Attorneys Association of Michigan, the Criminal Defense Attorneys of Michigan, Juvenile Law Center, the Juvenile Sentencing Project, and the American Civil Liberties Union Fund of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



p0427

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 30, 2021

  
Clerk